

MEMO ENDORSED

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May 22, 2008

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/23/08 Nourse & Bowles 75 Main Street, Suite 205 Millburn, New Jersey
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VIA FACSIMILE - 212-805-7949

Honorable P. Kevin Castel
United States District Court
500 Pearl Street, Room 2260
New York, New York 10007-1312

Re: **BBC CHARTERING & LOGISTIC GmbH & CO. KG
v. VINGO RESOURCES PTY LTD and VINGO
RESOURCES LTD, 08 Civ. 0213(PKC)**

Dear Judge Castel:

We represent the plaintiff, BBC Chartering & Logistic GmbH & Co. KG Ltd. in the above matter. A pre-trial conference has recently been scheduled in this matter for May 30, 2008 at 9:45 a.m.

This is a case in which the plaintiff has sought Rule B attachment and garnishment pursuant to the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure in aid of arbitration in London. No funds have been attached to date but arbitration is proceeding. Our clients wish to have this case placed on the suspense docket pending the outcome of the London arbitration but reserve the right to serve process in the interim.

We respectfully request, in the circumstances, that the matter be placed on the suspense docket and that the pre-trial conference be adjourned sine die. Attached is a proposed order transferring the case to the suspense docket for your Honor's consideration. No previous request for this relief has been made.

Respectfully submitted,

NOURSE & BOWLES, LLP

By:

Armand M. Paré, Jr.

AMP:ll
Encs.

*Application denied.
Conference will
be adjourned from
May 30 to
September 5, 2008
at 9:30 am.*

SO ORDERED.
[Signature]
USDS
5-22-08

*If no funds, have
been attached by September
2, 2008, then I anticipate
a Voluntary Dismissal.*